

PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2003

Application or Docket Number

10/785389

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	13	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	13 minus 20 =	
INDEPENDENT CLAIMS	2 minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT		<input type="checkbox"/>

* If the difference in column 1 is less than zero, enter "0" in column 2.

CLAIMS AS AMENDED - PART II

AMENDMENT A	(Column 1)	(Column 2)	(Column 3)	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	13	Minus	20	= <input type="checkbox"/>
Independent	2	Minus	3	= <input type="checkbox"/>
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

SMALL ENTITY TYPE		OTHER THAN SMALL ENTITY	
RATE	FEES	RATE	FEES
BASIC FEE	385.00	OR BASIC FEE	770.00
XS 9=		OR XS18=	
X43=		OR X86=	
-145=		OR +290=	
TOTAL	385.00	OR TOTAL	

SMALL ENTITY		OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
XS 9=		OR XS18=	
X43=		OR X86=	
+145=		OR +290=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

AMENDMENT B	(Column 1)	(Column 2)	(Column 3)	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	13	Minus	20	= <input type="checkbox"/>
Independent	2	Minus	3	= <input type="checkbox"/>
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE		ADDITIONAL FEE	
XS 9=		OR XS18=	
X43=		OR X86=	
-145=		OR +290=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

AMENDMENT C	(Column 1)	(Column 2)	(Column 3)	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	13	Minus	20	= <input type="checkbox"/>
Independent	2	Minus	3	= <input type="checkbox"/>
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE		ADDITIONAL FEE	
XS 9=		OR XS18=	
X43=		OR X86=	
-145=		OR +290=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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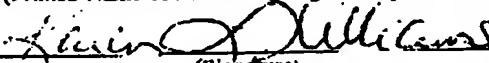
Applicant: Steven Yon
Serial No.: 10/785,389
Filed: February 24, 2004
Title: Method of Manufacturing a Heat Transfer Element For In Vivo Cooling
Without Undercuts
Art Unit: 3739
Examiner: Roy Dean Gibson
Docket No.: 136001

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action dated September 19, 2005, the time for response extended two months, up to and including Tuesday, February 21, 2006 (Monday, February 20, 2006, being a Federal Holiday), kindly amend the above-identified application as follows. In addition, any deficiencies may be charged to deposit account No. 50-1047.

<u>Certificate of Facsimile Transmission</u> I hereby certify that this document and any document referenced herein has been transmitted via facsimile to the US Patent and Trademark Office at (571) 273-8300 on <u>February 21, 2006</u> .
Karin L. Williams, Reg. No. 36,721. (Printed Name of Person Mailing Correspondence)
 (Signature)

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Patent
10/785,389

Both Lasheras and Dobak fail to teach or suggest a device that can be removed in the absence of an undercut. As described at least at page 31, lines 7-27 of Applicant's application, as filed, in the prior art devices, the heat transfer elements included an undercut, which prevented the heat transfer element from being "lifted up in the direction indicated by arrow 310" (Figure 22). However, in accordance with a heat transfer device as claimed, and as shown in one particular embodiment of Figure 23, "part 304" does not have an undercut" and therefore "can be lifted up, in the direction indicated by arrow 310". Again, neither Lasheras nor Dobak teach or suggest a device shaped and configured in the manner claimed herein.

For at least the foregoing reason, independent Claim 1, as amended herein, is believed patentable over the art of record.

Dependent Claims 2-9 are believed to be clearly patentable for all of the reasons indicated above with respect to Claim 1, from which they depend, and even further distinguish over the cited references by reciting additional limitations.

It is respectfully submitted that all pending claims are now in condition for allowance and prompt review and issuance is accordingly requested. Should the Examiner be of the view that an interview would expedite consideration of this Amendment or of the application at large, request is made that the Examiner telephone the Applicants' undersigned attorney at (908) 518-7700 in order that any outstanding issues may be resolved.

Respectfully submitted,



Karin L. Williams; Registration No 36,721

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